

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

SOUTHERN PIONEER)	
PROPERTY & CASUALTY)	
INSURANCE COMPANY,)	
)	
PLAINTIFF,)	
)	
v.)	CASE NO: 1:18-CV-461-GMB
)	[WO]
TERRY NEWSOME d/b/a CHAZZ)	
AUTOMOTIVE,)	
)	
DEFENDANT.)	

CONSENT JUDGMENT AND ORDER

In accordance with the Joint Motion for Entry of Consent Judgment (Doc. 16), filed December 21, 2018, Plaintiff Southern Pioneer Property & Casualty Insurance Company (“Southern Pioneer”) and Defendant Terry Newsome d/b/a Chazz Automotive (“Newsome”) (collectively “the parties”) agree to resolve all matters in this action, and consent to entry of a Judgment and Order by this court. Pursuant to 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73, the parties have consented to the jurisdiction of the undersigned United States Magistrate Judge. Docs. 10 & 11.

Accordingly, it is ORDERED, ADJUDGED, and DECREED that the Motion (16) is GRANTED and judgment is hereby ENTERED as follows:

1. That there is a *bona fide* controversy between the parties as to their legal rights, duties, status, and liability;

2. That the subject insurance policy (No. CP00006661) (the “subject policy”) issued to Terry Newsome d/b/a Chazz Automotive is void *ab initio*;

3. That Southern Pioneer has a right to rescind the subject policy accordingly;

4. That, because the Policy is rescinded and void *ab initio*, Southern Pioneer has no coverage obligations under the Policy for any claims made against any insured;

5. That the subject policy is hereby rescinded;

6. That this final judgment is hereby ENTERED against Defendant and in favor of the Plaintiff; and

7. That costs be taxed as paid.

DONE on the 27th day of December, 2018.



GRAY M. BORDEN

UNITED STATES MAGISTRATE JUDGE